

In re Application of Tipping et al.
Serial No. 09/520,678

REMARKS

The Office action has been carefully considered. The Office action allowed claims 1-2, 4-5, 10-11, and 13-14. The Office action rejected claims 6 and 16 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Tipping, U.S. Patent No. 6,633,857 B1 (hereinafter "Tipping") in view of Bishop et al., U.S. Patent No. 6,556,960 B1 (hereinafter "Bishop"). The Office action also rejected claims 6 and 16 under the doctrine of obviousness-type double patenting as being allegedly unpatentable over claims 1 and 21 of Tipping in view of Bishop. The Office action rejected claims 7 and 17 under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. However, claims 7 and 17 were indicated as being allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Claim 18 was objected to because of an informality. Claims 8-9 and 18-19 were objected to as being dependent upon a rejected base claim, and were indicated as being allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for indicating that the subject matter recited in claims 7-9 and 17-19 is allowable. By present amendment, claims 6 and 16 have been canceled, and claims 7-9 and 17-19 have been amended.

Claim 7 has been amended to overcome the rejection under 35 U.S.C. § 112, second paragraph, and has been rewritten in independent form, including all of the limitations of

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base claim 6. Claims 8 and 9 have been amended and have been rewritten in independent form, including all of the limitations of base claim 6. Claim 17 has been amended to overcome the rejection under 35 U.S.C. § 112, second paragraph, and has been rewritten in independent form, including all of the limitations of base claim 16. Claims 18 and 19 have been amended and have been rewritten in independent form, including all of the limitations of base claim 16. Applicants submit that all the claims now include the allowable subject matter indicated.

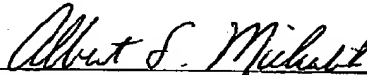
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CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that claims 1-2, 4-5, 7-11, 13-14 and 17-19 are patentable over the prior art of record as indicated in the Office action, and that the application is in good and proper form for allowance. A favorable action on the part of the Examiner is earnestly solicited.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at (425) 836-3030.

Respectfully submitted,



Albert S. Michalik, Reg. No. 37,395
Attorney for Applicant
Law Offices of Albert S. Michalik, PLLC
704 - 228th Avenue NE, Suite 193
Sammamish, WA 98074
(425) 836-3030
(425) 836-8957 (facsimile)